

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Ben F. Johnson and Eric S. Nordman

Serial No: To be assigned Art Unit: 1743

Filed: February 13, 2002 Examiner: J. Starsiak

Title: CAPILLARY ELECTROPHORESIS METHOD AND APPARATUS
FOR REDUCING PEAK BROADENING ASSOCIATED WITH
THE ESTABLISHMENT OF AN ELECTRIC FIELD

PRELIMINARY AMENDMENT UNDER 37 CFR 1.115

Assistant Commissioner of Patents
Washington, D. C. 20231

Dear Sirs:

Applicants respectfully request consideration of this preliminary amendment prior to the examination of this application.

I. AMENDMENTS

Please enter the following amendments into the claims of the above-identified patent application. No new matter has been added to the application.

In The Claims:

Please cancel claims 1-21 without prejudice.

Please add new claims 22-24 as follows:

22. (New) In a capillary electrophoresis method in which analyte species are separated by differential electrophoretic migration through a fluid separation medium under the influence of a run field, an improvement for reducing peak broadening caused when the run field is established comprising:

establishing the run field at a ramp rate ranging from about 0.1 V/cm-s to about 1.0 V/cm-s.

23. (New) In a capillary electrophoresis method in which analyte species are separated by differential electrophoretic migration through a fluid separation medium under the influence of a run field, an improvement for reducing peak broadening caused when the run field is established comprising:

establishing the run field at a ramp rate no greater than about 5 V/cm-s;

wherein the fluid separation medium is a buffered solution containing a non-crosslinked polymer.

24. (New) In a capillary electrophoresis method in which analyte species are separated by differential electrophoretic migration through a fluid separation medium under the influence of a run field, an improvement for reducing peak broadening caused when the run field is established comprising:

establishing the run field at a ramp rate no greater than about 5 V/cm-s;

wherein the analyte species are nucleic acid.

II. REMARKS

Claims 1-21 have been canceled. Claims 22-24 have been added. Claims 22-24 are pending.

Amendments

Claim 22 is original claim 3 rewritten in independent form.

Claim 23 is original claim 4 rewritten in independent form.

Claim 24 is original claim 7 rewritten in independent form.

Objections

At page 5 of the last Office Action in related application Ser. No. 09/361,485 (paper no. 4 in that application), the examiner stated that claims 3, 4 and 7 would be

allowable if rewritten in independent form. As set forth above, the claims have been so rewritten. Therefor, these objections should be obviated.

III. CONCLUSION

In view of the foregoing amendments and remarks, the applicants submit that the claims now pending in the present application are in condition for allowance. A Notice Of Allowance is therefore respectfully requested.

If in the opinion of the examiner, a telephone conference would expedite the prosecution of the subject application, the examiner is invited to call the undersigned at 650-638-5846.

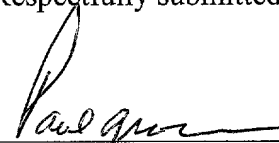
IV. CONDITIONAL PETITION FOR TIME EXTENSION and FEE AUTHORIZATION

If any additional time extensions are required, such time extensions are hereby requested. If any additional fees not submitted with this response are required, please take such fees from deposit account number 01-2213.

CORRESPONDENCE ADDRESS

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Respectfully submitted,


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APPENDIX A

Marked-Up Version Of Amended Claims

NONE

APPENDIX B

Clean Version Of All Pending Claims

22. (New) In a capillary electrophoresis method in which analyte species are separated by differential electrophoretic migration through a fluid separation medium under the influence of a run field, an improvement for reducing peak broadening caused when the run field is established comprising:

establishing the run field at a ramp rate ranging from about 0.1 V/cm-s to about 1.0 V/cm-s.

23. (New) In a capillary electrophoresis method in which analyte species are separated by differential electrophoretic migration through a fluid separation medium under the influence of a run field, an improvement for reducing peak broadening caused when the run field is established comprising:

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24. (New) In a capillary electrophoresis method in which analyte species are separated by differential electrophoretic migration through a fluid separation medium under the influence of a run field, an improvement for reducing peak broadening caused when the run field is established comprising:

establishing the run field at a ramp rate no greater than about 5 V/cm-s;

wherein the analyte species are nucleic acid.